



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(a)

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Order Filed on December 22, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Anthony C. Curto, Jr. & Veronica Curto

Debtor.

Case No: 20-14300 (VFP)

Chapter 11

Hearing Date:

Judge Vincent Papalia

**ORDER OF DISCHARGE OF DEBTOR(S), FINAL DECREE
AND CLOSING CHAPTER 11 CASE**

The relief set forth on the following page, numbered two (2) and three (3), is hereby ORDERED.

DATED: December 22, 2021

A handwritten signature in black ink, appearing to read "Honorable Vincent F. Papalia".

**Honorable Vincent F. Papalia
United States Bankruptcy Judge**

Debtor: Anthony & Veronica Curto

Case No.: 20-14300 (VFP)

Caption: Order of Discharge of Debtor(s), Final Decree and Closing Chapter 11 Case

THIS MATTER, having been opened to the Court upon the motion, (the “Motion”) of the debtors, Anthony C. Curto, Jr. & Veronica Curto (the “Debtors”), by and through their counsel, Karina Pia Lucid, Esq., and Karina Pia Lucid, Esq. having appeared on the behalf of the Debtors; and due notice having been given; and good cause having been shown;

IT IS HEREBY ORDERED:

1. That the Debtors’ Motion is granted in part and denied in part as set forth herein.
2. Except as otherwise provided in this Order and the Order in this Case Filed

on June 11, 2021 entitled “Order Confirming Chapter 11 Small Business Subchapter V Plan of Reorganization”, hereinafter referred to as the “Debtors’ Plan”, the Debtors will be granted a discharge under 11 U.S.C. 1141(d)(5)(A) upon completion of all payments under the Debtor’s Plan. Upon completion of all Plan payments, the Debtor(s) shall file a Certification in Support of Discharge indicating same and requesting that Order Discharging Debtors be issued.

3. Excepted from the Debtors’ discharge are:

- a. the Debtors’ obligations under the “Debtors’ Plan” and
- b. the Debtors’ obligations under the “Settlement of Controversy”

between the Debtors and Kingtown Truckstop, LLC, “Kingtown”, in the Adversary Proceeding 20-01344 (VFP), and in particular, the provision in the Settlement of Controversy below:

The accord reached between the parties is that Debtors accept Plaintiff’s \$154,539.41 claim and will pay \$30,000.00 as a “convenience class” claim through their chapter 11 plan with the remaining balance of \$124,539.41, being paid pro rata with other general unsecured claims through the plan. The \$30,000.00 convenience class claim is an agreed amount that will be non-dischargeable in the event the Debtors default on their chapter 11 plan payments. The remainder of \$124,539.41 remains a general unsecured claim subject to the same treatment as all other general unsecured claims.

4. The Clerk of the Bankruptcy Court shall issue all appropriate documents and notices to effectuate the limited discharge set forth within this Order and close this case subject

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to the right of any party in interest to move to reopen the case in the event of a default or for other cause, and the right of Kingtown to seek collection from the Debtors as non-dischargeable debt any portion of the Kingtown \$30,000.00 convenience class claim which is unpaid as of the time of the Debtors' default.

5. The above-captioned case is closed as of the date of this Order.
6. The clerk of court shall issue a final decree closing the case.